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Via: Engage Victoria

Lodged via: [Engage Victoria](#)

Changing the back-billing rules for retail energy customers: Draft decision, 28 February 2020

Jemena Electricity Networks (Vic) Ltd (**Jemena**) welcomes the opportunity to respond to the Essential Services Commission's (the **Commission**) Draft Decision on changing the back-billing rules for retail energy customers.

Jemena supports the Victorian Government's commitment to changing the back-billing period as it would improve and build trust in the market in relation to billing complaints.

To implement the government's commitment, the Commission has proposed amendments to the energy codes for energy distributors and retailers to ensure customers are not back-billed for more than four months when they are not at fault.

We support the proposed new clause 15A in the Electricity Distribution Code. However, we are concerned the new clause limits the circumstances when an electricity distributor may recover charges from a retailer. To address this, we propose the following amendments (in red):

Clause 15A.1.1 – A **distributor** is not permitted to recover charges from a **retailer** if the **retailer** is ~~unable to~~ **prohibited from recovering** those charges from a **small customer** under the **Energy Retail Code**. **This clause does not otherwise limit a distributor's right to recover charges from a retailer for any reason.**

The word "unable" may have broad interpretation depending on the particular circumstances of the retailer's failed debt recovery. The word "prohibited" more closely links the operation of this clause to the updates being made to the Energy Retail Code, which prescribes when a retailer cannot at law recover a charge (being changes from 9 to 4 months).

If you require further information in relation to the submission, please contact [REDACTED] on [REDACTED] or at [REDACTED]

Yours sincerely

[signed]


Regulatory Manager, Electricity Markets